

# Georgia State Board of Funeral Service

## Board Meeting

### November 9, 2010

#### Public Hearing:

A public hearing was held on November 9, 2010 at 237 Coliseum Drive, Macon, GA; for the purpose of allowing Carl Swann appeal the Board's decision to deny his application for licensure by endorsement. Chairman, Lauren McDonald called the hearing to order at 10:00 a.m. The hearing was adjourned and the Board began its regularly scheduled meeting immediately following.

A quorum was established with members present being: Lauren McDonald, Chairman; Terry Daviston, Vice Chair; David Roach, Linda Ware, Nancy Kennedy and Thelon Hamby.

Others present were as follows: Steve Lindsey, Executive Director; Melanie Brown, Board Support Specialist; and Reagan Dean, Assistant Attorney General via video conference.

Thelon Hamby moved, Nancy Kennedy seconded, and the Board voted to uphold their original decision to deny Mr. Swann's endorsement application. The Board will issue a written final decision within the next 30 days.

#### Approval of Minutes:

Thelon Hamby moved, Nancy Kennedy seconded, and the Board voted to approve the minutes of the October 5, 2010 meeting.

#### Executive Session:

David Roach moved to enter into Executive Session to deliberate on applications, complaints, and investigations, as authorized by O.C.G.A. § 43-1-2 (k) and 43-1-19 (h). Linda Ware seconded the motion. The motion was carried by Lauren McDonald, Chairman; Terry Daviston, Vice Chair; David Roach, Linda Ware, Nancy Kennedy and Thelon Hamby. The Board concluded Executive Session in order to vote on the matters discussed and to continue with the public session.

#### Applications:

Linda Ware moved, Thelon Hamby seconded, and the Board voted to ratify the following licenses issued since the October 5, 2010 meeting:

1.	EMB004700	Ward, Linette Carol	Embalmer	Newnan	GA
2.	FD005109	Ward, Linette Carol	Funeral Director	Newnan	GA
3.	FSA005182	Willis, Nathaniel Robert	Funeral Service Apprentice	Valdosta	GA
4.	FSA005183	Morgan, Joseph Pollett	Funeral Service Apprentice	Atlanta	GA
5.	FSA005184	Gray, Van Raul	Funeral Service Apprentice	Decatur	GA
6.	FSA005185	Aaron, Candace Michelle	Funeral Service Apprentice	Atlanta	GA
7.	FSA005186	Holt, Wendy Morris	Funeral Service Apprentice	Atlanta	GA

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8.	FSA005187	Brown, Brandon Deshawn	Funeral Service Apprentice	Rome	GA
9.	FSA005188	Langley, Christopher Bernard	Funeral Service Apprentice	Conyers	GA
10.	FSA005189	Lunsford, Kevin Donald	Funeral Service Apprentice	Canton	GA
11.	FSA005190	Masters, Casey Erin	Funeral Service Apprentice	Augusta	GA
12.	FSA005191	Landress, Justin Alan	Funeral Service Apprentice	Calhoun	GA
13.	FSA005192	Smith, Rebecca Kathleen	Funeral Service Apprentice	Fort Oglethorpe	GA

Thelon Hamby moved, Linda Ware seconded, and the Board voted to approve the following applications for licensure:

1.	Ogletree, George Taylor	1231324	Embalmer	Hampton, GA
		1231328	Funeral Director	
2.	Darby Funeral Home Inc	1253178	Funeral Establishment	Canton, GA
3.	Brannon, James Edwin	1254224	Embalmer - Reinstatement	Calhoun, GA
4.	Parkway Garden Chapel	1254965	Funeral Establishment	Forest Park, GA
5.	Tara Garden Chapel	1254968	Funeral Establishment	Jonesboro, GA
6.	Swain, Wesley Warren	1256434	Embalmer - Reinstatement	Baxley, GA
7.	Pruitt, William Oscar, Jr	1254742	Embalmer	New Smyrna
		1254743	Funeral Director	Beach, FL

Thelon Hamby moved, Linda Ware seconded, and the Board voted to appoint the following as Funeral Director in Full & Continuous Charge:

- South Canton Funeral Home and Chapel Inc. 1256846  
FDFCC: Eric Shane Mayo
- Durden-Hudson Funeral Directors Inc 1257859  
FDFCC: Scott Hudson
- Daniels Funeral and Cremation Service 1258904  
FDFCC: Anthony McGuire
- Horis A Ward Inc. Tara Chapel 1259648  
FDFCC: Darrell Green
- Knox Funeral Home 1256108  
FDFCC: Peggy Slaughter

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Thelon Hamby moved, Linda Ware seconded, and the Board voted to approve the following new establishments:

- Marietta Funeral Home 1236586  
FDFCC: Charles E. Johnson
- Marietta Funeral Home and Crematory 1237451  
FDFCC: Charles E. Johnson

Nancy Kennedy moved, Terry Daviston seconded, and the Board voted to accept the recommendation made in executive session on the following applicant:

- 1249782      Appeal Denial      R F      License by public consent order  
with 5 years probation

Thelon Hamby moved, Linda Ware seconded, and the Board voted to accept the report of pending cases presented by the Attorney General.

Thelon Hamby moved, Linda Ware seconded, and the Board voted to accept a voluntary surrender on the following case upon receipt:

- FUN100133

Thelon Hamby moved, Linda Ware seconded, and the Board voted to accept consent orders on the following case upon receipt:

- FUN110026
- FUN110012

Thelon Hamby moved, Linda Ware seconded, and the Board voted to accept consent orders on the following case upon receipt:

- FUN100106

The modified consent agreement provides for a public reprimand, a \$500.00 fine and a three year probation for the establishment license and the individual's funeral directing and embalmer license.

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Thelon Hamby moved, Linda Ware seconded, and the Board voted to accept the Cognizant Member's recommendations on the following cases:

- FUN080066 Close
- FUN100083 Close
- FUN100109 Refer to investigations to obtain a statement from the Georgia funeral director regarding his statement to the deceased's family, obtain a copy of the general price list and a copy of the funeral contract.
- FUN100119 Refer to investigations to request a copy of the death certificate from the Doctor to make a comparison.
- FUN110024 Refer to Attorney General to issue a \$500.00 fine and public reprimand with a 2 year probation
- FUN110003 Close with letter of concern due to Malpractice/neglect 43-18-46(8)
- FUN110005 Close
- FUN110007 Close
- FUN110010 Refer to investigations to obtain a statement from the funeral director JHB, have the investigator ask the following specific questions after reading the complainant's statement:
  - 1. Did you call complainant?
  - 2. Why?
  - 3. What was said?
- FUN110011 Close
- FUN110016 Close civil matter
- FUN110017 Refer to investigations to verify the advertisement has been removed from all Yellow book publications
- FUN110020 Refer to investigations to get a statement from apprentice, W.E.:
  - a. Has she ever made funeral arrangements without the Funeral Director directly supervising the arrangement?
- FUN110021 Tabled pending the outcome of the council meeting and refer to Environmental Protection Department

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to check emissions

- FUN110022 Refer to Attorney General to issue a fine of \$500.00 per month for 5mos, due to unlicensed practice, totaling \$2500.00 and due to failure to request a second grace period
- FUN110023 Close
- FUN110025 Close
- FUN110028 Refer to Attorney General to issue a \$500.00 fine and a public reprimand with a 2 year probation
- FUN110029 Close with letter of concern
- FUN110034 Close with letter of concern due to gross neglect 43-18-46(8) and have the owners pick-up documents from the board office
- FUN110041 Tabled pending the outcome of the council meeting and refer to Environmental Protection Department to check emissions
- FUN100124 Close with letter of concern in reference to the condition of the body and better communication with client urging licensee to, in the future, advise client if unable to meet expectations
- FUN100101 Tabled
- FUN110017 Tabled

Thelon Hamby moved, Linda Ware seconded, and the Board voted to approve the following recommendations for continuing education course approval requests.

Program Provider/Sponsor	Course Title	HRS Requested	HRS Approved
<b>The Georgia Coroners Association</b> <b>District 2</b> <b>Mark Bowen, Director</b> <b>912 8<sup>th</sup> Street</b> <b>Augusta, GA 30901</b> <b>706-821-2382</b> <b>706-821-2869 (fax)</b>	Georgia Coroners Association District 2 Seminar	6	2  (not all seminars considered germane to the profession)

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Education Workers Group Brian Stefamelli 45 Ludlow St. Staten Island, NY 10312 718-701-0385	Funeral Products and the Environment	2	2
	Helping Children Cope with Death	1	1
	OSHA Compliance for Funeral Homes	2	2
	When Children Die: Guidance for the Final Arrangements	1	1
	Complying with the FTC Funeral Rule	2	2
	Limiting Exposure to HIV/AIDS	2	2
	Helping Parents with Unexpected Death	1	1
	Modern Funeral Customs	1	1
	Understanding Hospice and Palliative Care	1	1
	Up-selling Without Upsetting the Client	1	(not germane to the profession) 0
	Burial with Military Honors	3	3
	Ethics, Attitude & Customer Service	3	3
FuneralCE Sue Moore P.O. Box 850127 Richardson, TX 75085 866-332-8423	OSHA Practice Standards for Funeral Professionals	4	4
	Managing Grief – A Guide for the Funeral Professional	5	5
NFDA Kathleen Walczak 13625 Bishop's Drive Brookfield, WI 3005-6607 800-228-6332 262-789-6977 fax	How to Adopt Environmentally Friendly Funeral Business Practices	2	2

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<b>SC Funeral Directors Association</b> <b>Mike Squires</b> <b>P.O. Box 1350</b> <b>Mt. Pleasant, SC 29465</b> <b>843-881-3634</b> <b>843-881-3659 (fax)</b>	South Carolina Funeral Directors Association 24 <sup>th</sup> Mid-Winter Conference and Expo	6	6
<b>Select Independent Funeral Homes</b> <b>Amy Hunt</b> <b>500 Lake Cook Road</b> <b>Suite 205</b> <b>Deerfield, IL 60015</b> <b>847-236-9401</b> <b>847-236-9968</b> <b>ahunt@selectedfuneralhomes.org</b>	Selected Independent Funeral Homes 2011 NextGen Seminar	6	6

Thelon Hamby moved, Linda Ware seconded, the Board voted to approve the following requests for grace periods to replace the Funeral Director in Full and Continuous Charge:

- DT Brown Memorial, LLC Thomson, GA

Thelon Hamby moved, Linda Ware seconded, the Board voted to approve the following requests for a second grace periods to replace the Funeral Director in Full and Continuous Charge:

- Crematory of Forsyth Cumming, GA
- Vincent R. Drummer Funeral Home Vidalia, GA

Nancy Kennedy moved, Linda Ware seconded, and the Board voted to suspend Eric D. Collins' license to practice as a Funeral Service Apprentice, for failure to repay a student loan. The suspension will cease upon receipt by the Division Director of a "Notice of Release" from the Georgia Higher Education Assistance Corporation.

Nancy Kennedy moved, Linda Ware seconded, and the Board voted to suspend Pamela J. Riner's license to practice as a Funeral Service Apprentice, for failure to repay a student loan. The suspension will cease upon receipt by the Division Director of a "Notice of Release" from the Georgia Higher Education Assistance Corporation.

# **Georgia State Board of Funeral Service**

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Thelon Hamby moved, Linda Ware seconded, and the Board voted to table the following applicant's request for licensure pending a final decision from DeKalb Superior Court:

- 1220647      D W      Funeral Service Apprentice

The Board received as information correspondence from the following organization:

- The Conference,    Fayetteville, AR

The correspondence advises that the organization will not renew its membership with the American Board of Funeral Service Education.

Thelon Hamby moved, Linda Ware seconded, the Board voted to approve the 2011 board meeting dates as follows:

- Tuesday, January 11, 2011
- Tuesday, February 8, 2011
- Tuesday, March 8, 2011
- Tuesday, April 12, 2011
- Tuesday, May 10, 2011
- Tuesday, June 14, 2011
- Tuesday, July 12, 2011
- Tuesday, August 9, 2011
- Tuesday, September 13, 2011
- Tuesday, October 11, 2011
- Tuesday, November 8, 2011
- Tuesday, December 13, 2011



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Linda Ware moved, Thelon Hamby seconded, and the Board voted to adopt a policy interpreting “immediately preceding his or her application for a license in Georgia” with respect to applicants applying for licensure by reciprocity/endorsement in O.C.G.A. § 43-18-42(a)(2) to mean six months from the date application is made or less.

David Roach and Linda Ware were appointed to serve on a committee that will draft a rule amendment to establish a time frame for reciprocity/endorsement applicants.

The next meeting of the Board will be January 11, 2011, at 10:00 a.m. at 237 Coliseum Drive, Macon, GA.

There being no further business, the meeting was adjourned at 2:40 p.m.

Minutes were approved at the December 14, 2010 board meeting.